In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 16505 of 2006

Date of Decision: 14.11.2006

Krishna Aggarwal and others

…Petitioners

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. R.K. Jain, Advocate,
for the petitioners.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition under Article 226 of the Constitution has been filed challenging the action of respondent Nos. 2 and 3 orally retiring the petitioners from their respective post of teachers before attaining the age of superannuation, which is alleged to be contrary to Rule 30 of the Central Board of Secondary Education Affiliation Bye-Laws. A further prayer has been made for directing respondent Nos. 2 and 3 to permit the petitioners to join their duties on their respective posts.

For the relief claimed in the instant petition, the petitioners have already made a representation dated 9.9.2006 (P-1) to the respondents.

Without going into the merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the representation sent by the petitioners and decide the same expeditiously preferably within a period of two months from the date a certified copy of this order is presented to them. It shall be appreciated if a speaking order is passed. However, issuance of direction shall not to be construed to mean that any final opinion has been expressed with regard to amenability of respondent Nos. 2 and 3 to the writ jurisdiction of this Court.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

November 14, 2006
Pkapoor